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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,178	09/17/2003	Won-Kyu Jang	P2032US	5559

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EXAMINER

VIEAUX, GARY

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/665,178

Applicant(s)

JANG ET AL.

Examiner

Gary C. Vieaux

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/04; 12/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a first office action in response to application 10/665,178 filed on September 17, 2003 in which claims 1-24 are presented for examination.

5 ***Priority***

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy of Japanese patent application number 2002-537333, filed on September 19, 2003, has been received and made of record.

10 ***Information Disclosure Statement***

The information disclosure statements (IDS) submitted on the following dates are in compliance with the provisions of 37 CFR 1.97 and are being considered by the Examiner: January 12, 2004 and December 23, 2004.

15 ***Specification***

The abstract of the disclosure is objected to because it should not be a recitation of the claims. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

20 The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

- 5 The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Applicant is reminded of the proper content of an abstract of the disclosure.

- 10 A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should
- 15 include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

- 20 The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

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- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- 5 (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

10

Claim Objections

Claim 1 recites the limitations "the input identification information" in line 11. The Examiner suggests changing this limitation to "the input user identification information" to conform to the previous antecedent basis.

15

Claim 1 also recites the limitations "the user identification information stored in the digital camera" in lines 11-12. However, there is no antecedent basis for the stored user identification information. The Examiner suggests changing this limitation to "the user identification information received by the digital camera" to conform to the previous antecedent basis created by receiving user identification information.

20

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, and therefore claims 2-5 by way of dependence, are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such

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omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted step(s) pertain to enumerated step (d) "moving an image storage location to an existing folder used by the identified user". Steps relating to the initiation, the source, or the establishment of a location from which this location is originated to support a move to an existing folder, as well as how an actual user is identified, versus simply referencing an identified match of user identification information, prevents the scope of the claimed subject matter from being determined by one having ordinary skill in the art.

It is also noted by the Examiner, that until the 35 U.S.C. 112 related ambiguities are cured, any art-based rejections based on the merits of the claims are functionally precluded.

Claim Rejections

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6 and 8-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwayama (US 2004/0201739 A1).

Regarding claim 6, Kuwayama discloses a digital camera comprising a manipulation unit obtaining and outputting the user identification information by being manipulated by the user (figs. 1A indicator 402, 4A indicators 204 and 208), a display unit displaying a message requesting input of the user identification information, the user identification information input through the manipulation unit, and a setting state of the digital camera (figs. 1B indicator 300), a non-volatile storing unit storing the user information and setting information intrinsic to the user with respect to the digital camera and outputting the stored user information and the setting information (fig. 1A indicator 104), a recording medium inserted in a recording medium interface provided in the digital camera and storing the digital image data (fig. 1B indicator 48), and a control unit comparing the user information stored in the non-volatile storing unit and the input user identification information and setting the digital camera according to the setting information stored in the non-volatile storing unit (fig. 1B indicator 14.)

Regarding claim 8, Kuwayama discloses a method comprising the steps of receiving input user identification information (fig. 4A indicator 204), determining whether a match exists between the input user identification information and stored user identification information (fig. 4B indicators 222, 224, 232), if a match exists, loading at least one setting of the digital camera corresponding to the matched user identification information and assigning an image storage location to a folder designated for the user (fig. 4B indicator 234.)

Regarding claim 9, Kuwayama discloses all the limitations of claim 9 (see the 102(e) rejection to claim 8 supra) including wherein the step of assigning an image

storage location to a folder corresponding to the user identification information further comprises ascertaining whether a folder already exists that corresponds to the user identification information (fig. 4A indicator 206), if a folder already exists that corresponds to the user identification information, assigning an image storage location to the existing user folder (col. 4 line 59-67), and if a folder does not already exist that corresponds to the user identification information, creating a new folder and assigning the image storage location to the new user folder (fig. 4A indicator 220.)

Regarding claim 10, Kuwayama discloses all the limitations of claim 10 (see the 102(e) rejection to claim 8 supra) including wherein after the step of assigning an image storage location to a folder designated for the user, the method further comprises performing work with the digital camera (col. 6 lines 13-22.)

Regarding claim 11, Kuwayama discloses all the limitations of claim 11 (see the 102(e) rejection to claim 10 supra) including wherein performing work comprises an activity selected from the group comprising, taking a digital photograph, searching stored digital images, and changing the camera settings (col. 3 lines 41-49.)

Regarding claim 12, Kuwayama discloses all the limitations of claim 12 (see the 102(e) rejection to claim 8 supra) including wherein after the step of assigning an image storage location to a folder corresponding to the input user identification information, the method further comprises storing at least one setting of the digital camera as information corresponding to the user identification information (col. 3 lines 41-61, col. 4 lines 59-67, and col. 6 lines 13-22.)

Regarding claim 13, Kuwayama discloses all the limitations of claim 13 (see the 102(e) rejection to claim 8 supra) including wherein if the input user identification information does not match the stored user identification information the method further comprises determining if the number of non-matching user input identification information attempts exceeds predetermined limit, if the number of attempts does not exceed the predetermined limit, restarting the input process from the first step of receiving a user input identification information, and if the number of attempts does exceed the predetermined limit, loading at least one default setting of the camera and creating a new user folder (fig. 4A indicators 204-220, in the case of the limit being read as one attempt and a new user is being registered.)

Regarding claim 14, Kuwayama discloses all the limitations of claim 14 (see the 102(e) rejection to claim 8 supra) including setting read protection with respect to an image file or folder (col. 5 line 56 – col. 6 line 2.)

Regarding claim 15, Kuwayama discloses a digital camera comprising a user input device (fig. 1A indicators 402 and 51), a non-volatile data-storing unit (fig. 1B indicator 104), a control unit that adjusts the digital camera settings according to setting data stored in the non-volatile data storing unit (fig. 1A indicator 52), where input user identification information corresponds with stored user identification information and related setting data, a recording medium (fig. 1B indicator 48), and a display unit (fig. 1B indicator 300.)

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Regarding claim 16, Kuwayama discloses all the limitations of claim 16 (see the 102(e) rejection to claim 15 supra) including a read protection setting unit (fig. 1A indicator 52.)

Regarding claim 17, Kuwayama discloses a digital camera comprising means for
5 inputting user identification information (fig. 1A indicators 402 and 51), means for storing
user identification information (fig. 1A indicator 104, fig. 1B indicator 112), means for
determining whether a match exists between input user identification information and
stored user identification information (fig. 1A indicator 106), means for storing setting
information intrinsic to a specific user (fig. 1A indicators 30 and 52), means for loading
10 at least one setting of the digital camera corresponding to the matched user
identification information (fig. 1A indicator 52 and 108), and means for assigning an
image storage location to a folder designated for the user (fig. 1A indicator 52),
wherein said folder exists on a means for recording digital data (fig. 1A indicator 30.)

Regarding claim 18, Kuwayama discloses all the limitations of claim 18 (see the
15 102(e) rejection to claim 17 supra) including means for setting read protection with
respect to an image file or folder (fig. 1A indicator 52, col. 5 line 56 – col. 6 line 2.)

Regarding claim 19, Kuwayama discloses all the limitations of claim 19 (see the
102(e) rejection to claim 17 supra) including means for taking digital photographs of an
object (fig. 1A indicator 12, col. 2 line 47 – col. 3 line 10.)

20 Regarding claim 20, Kuwayama discloses all the limitations of claim 20 (see the
102(e) rejection to claim 17 supra) including means for processing digital images (fig.
1A indicators 28 and 52.)

Regarding claim 21, Kuwayama discloses all the limitations of claim 21 (see the 102(e) rejection to claim 17 supra) including means for temporarily storing processed image data (fig. 1A indicator 30 and fig. 1B indicator 48, col. 3 lines 41-49.)

Regarding claim 22, Kuwayama discloses all the limitations of claim 22 (see the 102(e) rejection to claim 17 supra) including means for displaying input user identification information (fig. 1B indicator 300, col. 5 lines 56-61.)

Regarding claim 23, Kuwayama discloses all the limitations of claim 22 (see the 102(e) rejection to claim 17 supra) including means for displaying applied settings of the digital camera (col. 7 lines 16-60.)

Regarding claim 24, Kuwayama discloses all the limitations of claim 24 (see the 102(e) rejection to claim 17 supra) including means for displaying a digital image (fig. 1B indicators 47 and 300.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwayama (US 2004/0201739 A1).

Regarding claim 7, Kuwayama discloses all the limitations of claim 6 (see the 102(e) rejection to claim 6 supra) except for the camera further comprising a read

protection setting unit setting read protection with respect to an image file photographed by the user and input to the non-volatile storing unit or to be input thereto.

However, Kuwayama does disclose a camera with a read protection setting unit setting read protection with respect to an image file photographed by the user (fig. 1B indicator 110) and a non-volatile storing unit relating to the read protection (fig. 1B indicator 112.) It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate separate storage units into a solitary unit in order to centralize data storage or to reduce costs associated with multiple memories.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schinner (US 2004/0218065 A1) discloses personalization modes stored in association with different user identifiers.

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Bates et al. (US 6,930,707) discloses a digital camera that identifies a user via biometric capabilities.

Bean et al. (US 2003/0189642 A1) discloses a user-designated image file system for a digital camera.

20

Yamasaki et al. (US 2003/0011683 A1) discloses a camera with directory/folder storage capabilities.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.

5 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen T. Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for
10 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
15 USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gary C. Vieaux
Examiner
Art Unit 2622

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SUPERVISORY PATENT EXAMINER